



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 62	Assembly Amendments 1 and 2
Memo published: March 23, 2001	Contact: Don Dyke, Senior Staff Attorney (266-0292)

ASSEMBLY AMENDMENT 1

Among other things, *Assembly Bill 62* authorizes a county board to enact an ordinance prohibiting the possession, manufacture, or delivery of drug paraphernalia if the ordinance conforms to state criminal law prohibitions in that regard. The bill provides that a county drug paraphernalia ordinance does *not* apply in any city, village or town within the county that has enacted its own drug paraphernalia ordinance.

Assembly Amendment 1 exempts Milwaukee County from the restriction that a county drug paraphernalia ordinance does not apply in a municipality with its own drug paraphernalia ordinance. In other words, in Milwaukee County a county drug paraphernalia ordinance will apply in any municipality within the county, regardless of whether a municipality has its own ordinance.

Assembly Amendment 1 was adopted by the Assembly on a voice vote on March 22, 2001.

ASSEMBLY AMENDMENT 2

Current law authorizes a county board to enact and enforce an ordinance prohibiting the possession of 25 grams or less of marijuana. [s. 59.54 (25), Stats.] Current law also provides that a county marijuana ordinance does not apply in any municipality within the county that has enacted its own ordinance prohibiting the possession of marijuana.

Assembly Amendment 2 exempts Milwaukee County from the restriction in current law that a county marijuana ordinance does not apply in any municipality within the county that has its own marijuana ordinance. In other words, in Milwaukee County a county ordinance prohibiting the possession of marijuana will apply in any municipality within the county, regardless of whether a municipality has its own ordinance.

Assembly Amendment 2 was adopted by the Assembly on a voice vote on March 22, 2001.

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